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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/599,382	06/22/2000	Louis M. Franco	3568/7	8781

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EXAMINER

ENG, DAVID Y

ART UNIT	PAPER NUMBER
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2155

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DATE MAILED: 05/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

File

Office Action Summary	Application No. 09/599,382	Applicant(s) FRANCO ET AL.	
	Examiner DAVID Y. ENG	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 June 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>5</u> . | 6) <input type="checkbox"/> Other: |

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The drawings filed on 6/22/2000 are objected to because the legends are not legible (see Figures 1, 3 for examples), the quality of copy is poor (see Figures 2 and 5 for examples) and some drawings have no legends (see Figures 4C and 4D for examples).

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

A new title which is more aptly descriptive of the invention claimed is requested.

Claims 1-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In line 16 of claim 1, there is no antecedent basis for "the second host computer".

Scope of claim 2 is not clear. Functions of the instructions are not understood. It appears that application-specific business logic is not a piece of presentational information as recited. Other claims have similar defect. See claim 8 for example.

In claim 4, Applicants probably mean drag to another location on the display.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 17, 18 and 21-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over LeMole (USP 6,009,410).

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With respect to claims 1, 17 and 26, Lemole teaches in a network configured computer processing system (see Figure 1) having a plurality of client computers (101, see lines 28 et seq. of column 3) and a plurality of host computers (121, 116 etc.), a method for delivering interactive links (hyperlinks, see the third last line in abstract) for presenting applications and information (information about Disney, Delta Airlines or Dell Computer and programs for ordering tickets or computers, etc.) from remote sources (servers connected to the Internet) on the network (Internet), the method comprising (see the abstract and columns 1-3 of LeMole):

retrieving, in response to a request of a client computer (a click form client 101), over a first communication connection (connection between client 101 and IASP 102 for displaying the home page of IASP) information content (home page of IASP 102) having computer code embedded therein (advertisement and hyperlink of Disney, Delta Airlines and Dell appeared on the home page of IASP) and executing the embedded computer program code (in response to a click on the hyperlink by client) for establishing a second communication connection to a second host computer (client 101 now is connected to the home page of Disney or Delta Airlines and not to the IASP homepage anymore),

presenting, at the client computer, the application and the second information (home page of Disney or Dell for dragging souvenirs or computers into an electronic shopping cart) based upon the presentational information; and

storing, on the client computer, an interactive link (drag the URL to bookmark) for selectively re-establishing the second communication connection to the second host

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computer for retrieving the first information and presenting the application and the second information (access the home page of Disney or Dell via bookmark).

Further with respect to the last paragraph of claim 26, if the client is interrupted before finishing his shopping, he can save the electronic shopping cart and continue shopping next day. The shopping cart is presented to him in previous state.


With respect to claims 2 and 18, what is included in the presentational information is dependent on what is stored in the second host computer.

With respect to claims 12-16, LeMole has more than one client computer also.

Claims 21-25 do not teach above the invention claimed in claims 2, 12-16 and 18 and are therefore rejected under LeMole for the same reasons set fourth in the rejections of claims 2, 12-16 and 18 above.

Claims 3-11, 19-20, are rejected under 35 U.S.C. 103(a) as being unpatentable over LeMole (USP 6,009,410) in view of Dickman (USP 5,877,765).

LeMole teaches claim combination set forth above. With respect to claims 3-11, Graphical representation of hyperlink is well known in the art. Dickman teaches drag and drop a graphical representation of a downloaded hyperlink to create a shortcut on a desktop. From the teaching of Dickman, it would have been obvious to a person of ordinary skill in the art to drag and drop the hyperlink of LeMole so that a shortcut could be created on the desktop of LeMole.



DAVID Y. ENG
PRIMARY EXAMINER